

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:22-cv-00581-MR**

TYRONE LAMARK MILLER,)
)
Plaintiff,)
)
vs.)
)
D. PETERSON, et al.,)
)
Defendants.)
)

)

O R D E R

THIS MATTER is before the Court *sua sponte*.

The pro se Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983 addressing incidents that allegedly occurred while he was a pretrial detainee at the Mecklenburg County Detention Center. [Doc. 1]. On February 9, 2023, the Complaint passed initial review on claims against Defendants Peterson, Snell, and Vitale. [Doc. 10]. On March 28, 2023, Defendants filed Vitale and Snell filed an Answer to the Plaintiff's Complaint; in this Answer, Defendant Snell also asserted a Counterclaim against the Plaintiff for assault. [Doc. 12]. On April 17, 2023, Defendant Peterson also filed an Answer and a Counterclaim against the Plaintiff for assault. [Doc. 15]. To date, the Plaintiff has not answered either of the Defendants' counterclaims.

The Court will give the Plaintiff thirty (30) days from the entry of this Order to file answers to the Defendants' counterclaims. Should the Plaintiff fail to answer or otherwise respond to the counterclaims, the Court may direct the Clerk to enter default against the Plaintiff as to these claims.

IT IS, THEREFORE, ORDERED that the Plaintiff shall have thirty (30) days from the entry of this Order to file answers to the Defendants' counterclaims. Should the Plaintiff fail to answer or otherwise respond to the counterclaims, the Court may direct the Clerk to enter default against the Plaintiff as to these claims.

IT IS SO ORDERED.

Signed: May 22, 2023



Martin Reidinger
Chief United States District Judge

